

Application No. 09/818,171
Amendment dated December 2, 2004
Reply to Office Action of September 8, 2004

Docket No. 1232-4692

REMARKS

Applicant respectfully requests reconsideration of this application in view of the foregoing amendment and following remarks.

Status of the Claims

Claims 1-23 are pending in this application. Claims 1, 12 and 22 are independent. All of the pending claims stand rejected.

By this amendment, independent claims 1, 12 and 22 are amended. Dependent claim 23 is amended for the consistency with amended independent claim 22. No new matter has been added by this amendment.

Rejection under 35 U.S.C. §102

Claims 1-23 have been rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 5,640,619 to Takayama et al. ("Takayama").

Takayama discloses a multiple point focus detection camera where focus detection is performed in multiple point focus detection areas. It is defined in Takayama that an automatic mode is a mode in which the area containing the primary subject is automatically selected out of the multiple point detection areas. A manual mode is defined as a mode in which the area containing the primary subject is manually selected by a user. See, col. 1, lines 26-52 of Takayama.

Takayama's camera automatically sets the automatic mode upon turning on the power unless it is determined that a specific lens is used. For example, upon turning on the power, Takayama's camera communicates with the lens system and checks whether a specific lens (i.e., a lens normally used by a professional) is used. If it is determined that the specific lens is used,

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the forcible setting of the automatic mode is not executed. If, however, it is determined that the specific lens is not used, an automatic mode is forcibly executed preventing a user from mistakenly taking a photograph in a manual mode. See, col. 9, lines 22-55 of Takayama. Takayama's camera system concerns the problem that a user may mistakenly take a photograph with a manual mode that does not automatically focus on the primary object, i.e., the user sets the camera in the manual mode previously and forget to restore the mode into an automatic mode when a next photograph is taken.

In contrast, one of the aspects of the image sensing apparatus of the present invention as featured in independent claim 1 stores the manually set image sensing conditions (e.g., conditions set manually such as a finder drive, strobe mode and focus etc) when the image sensing apparatus is turned off. Subsequently, when the image sensing apparatus is turned on, it is determined whether a manual mode is selected by a user where the user can input the image sensing condition manually. If it is determined that the manual mode is selected, the image sensing apparatus automatically reads the stored manually set image sensing conditions and set the read conditions. Other independent claims (i.e., claims 12 and 22) recite similar features to claim 1 as discussed herein. See, for example, the first full paragraph through the third full paragraph of page 16 of the original specification.

The image sensing apparatus of the present invention is based on statistics that a user who uses the image sensing apparatus in a manual mode with several manual settings tends to use the same manual settings at the next image sensing operation. Therefore, the previously set manual settings may be automatically effected when the user selects a manual mode.

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As Applicant understand it, Takayama fails to show or suggest the teachings of the present invention as discussed above, i.e., storing the manually set conditions, determining whether a manual mode is selected and automatically reading/setting the manually set conditions if the manual mode is selected.

Accordingly, each of claims 1, 12 and 22 is believed neither anticipated by nor rendered obvious in view of Takayama for at least the reasons discussed above.

Reconsideration and withdrawal of the rejections of claims 1, 12 and 22 under 35 U.S.C. §102(b) is respectfully requested.

Applicant has not individually addressed the rejections of the dependent claims because Applicant submits that the independent claims from which they respectively depend are in condition for allowance as set forth above. Applicant however reserves the right to address such rejections of the dependent claims should such be necessary.

Applicant believes that the application as amended is in condition for allowance and such action is respectfully requested.

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AUTHORIZATION

No petitions or additional fees are believed due for this amendment and/or any accompanying submissions. However, to the extent that any additional fees and/or petition is required, including a petition for extension of time, Applicant hereby petitions the Commissioner to grant such petition, and hereby authorizes the Commissioner to charge any additional fees, including any fees which may be required for such petition, or credit any overpayment to Deposit Account No. 13-4500 (Order No. 1232-4692). A DUPLICATE COPY OF THIS SHEET IS ENCLOSED.

An early and favorable examination on the merits is respectfully requested.

Respectfully submitted,
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